

Exhibit 5

EXHIBIT 31

From: DUFFY WILLIAM (TROOPERS)
To: Bruen, Kevin (TROOPERS); STRAFACE, VINCENT (TROOPERS)
Cc: LOWMAN, KRISTIN (TROOPERS)
Subject: RE: Brendan Lyons inquiry -- [REDACTED]
Date: Friday, December 18, 2020 3:04:00 PM
Attachments: image001.png
Importance: High

Have an update on this:

[REDACTED] was appointed to PSU on January 25, 2018 with two other troopers, one of which had the same date of entry – Inv. [REDACTED]. I found the File 14 for that transfer.

P&R checked into the members manual and found that the three year requirement has existed since June of 2012 when that section first appeared (Article 2B5). I asked P&R to double check and they came back with the same answer. I've amended my response:

[REDACTED] joined the Protective Services Unit in January 25, 2018, along with another Trooper with the same exact amount of experience. Since June of 2012, State Police has required three years of Division service in order to qualify for appointment to the PSU.

Her assignment was based on her performance while assisting the PSU at an event in November of 2017. A Senior Investigator on the detail was impressed by her work and attitude, and recommended her as a possibility to fill an opening on the unit. PSU conducted a standard review of her work as a Trooper, which included interviews with her supervisors, who praised her work and agreed that she would be a good candidate for PSU. In the Senior Investigator's words she was "squared away." High praise indeed in the State Police parlance. [REDACTED] expressed an interest in joining the unit, and wrote a memo requesting a transfer.

Based on her performance as Trooper on the PSU, [REDACTED] was promoted to the rank of Investigator on December 26, 2019.

Any suggestion that [REDACTED] assignment to the PSU and subsequent promotion was based on anything other than her hard work and abilities is false. Such a suggestion is an insult to [REDACTED] and the New York State Police.

Thanks -- Beau

From: DUFFY, WILLIAM (TROOPERS)
Sent: Friday, December 18, 2020 1:11 PM
To: Bruen, Kevin (TROOPERS) [REDACTED] STRAFACE, VINCENT (TROOPERS)
Cc: LOWMAN, KRISTIN (TROOPERS) [REDACTED]
Subject: RE: Brendan Lyons inquiry -- [REDACTED]
Importance: High

Brendan got back to me – he says that it's his understanding that around the time of her appointment, the requirement to join PSU was changed from four years to three. So, maybe he's being told that the rules were changed for her, or at least the modification of the rule in the same time frame as her appointment could appear to be more than coincidental.

What is the background on that requirement? Was her initial appointment temporary, and would a temporary assignment land outside of the requirement until it's permanent?

Her EOD is 3/2/2015.

Thanks!

From: Bruen, Kevin (TROOPERS) [REDACTED]
Sent: Friday, December 18, 2020 12:22 PM
To: DUFFY, WILLIAM (TROOPERS) [REDACTED] STRAFACE, VINCENT (TROOPERS)
Cc: LOWMAN, KRISTIN (TROOPERS) [REDACTED]
Subject: RE: Brendan Lyons inquiry -- [REDACTED]

From: DUFFY, WILLIAM (TROOPERS) [REDACTED]
Sent: Friday, December 18, 2020 12:15 PM
To: STRAFACE, VINCENT (TROOPERS) [REDACTED]; Bruen, Kevin (TROOPERS)
Cc: LOWMAN, KRISTIN (TROOPERS) [REDACTED]
Subject: RE: Brendan Lyons inquiry -- [REDACTED]

Sirs:

Brendan has not yet told me the reason he's interested in why she was appointed to PSU, but I think we should be specific about how she ended up on the unit and then provide the last sentence stating that any other suggestions about the reason for her appointment are lies. Let me know your thoughts:

[REDACTED] joined the Protective Services Unit in January of 2018.

Her assignment was based on her performance while assisting the PSU at an event in November of 2017. A Senior Investigator on the detail was impressed by her work and attitude, and recommended her as a possibility to fill an opening on the unit. PSU conducted a standard review of her work as a Trooper, which included interviews with her supervisors, who praised her work and agreed that she would be a good candidate for PSU. In the Senior Investigator's words she was "squared away". High praise indeed in the State Police palance. [REDACTED] expressed an interest in joining the unit, and wrote a memo requesting a transfer. She was appointed by the Superintendent on January 28, 2018.

Based on her performance as Trooper on the PSU, [REDACTED] was promoted to the rank of Investigator on December 26, 2019.

Any suggestion that Investigator [REDACTED] assignment to the PSU and subsequent promotion was based on anything other than her hard work and abilities is false. Such a suggestion an insult to [REDACTED] and the New York State Police.

From: DUFFY, WILLIAM (TROOPERS)
Sent: Friday, December 18, 2020 9:45 AM
To: STRAFACE, VINCENT (TROOPERS) [REDACTED] Bruen, Kevin (TROOPERS)
Cc: [REDACTED]
Subject: FW: Brendan Lyons inquiry -- [REDACTED]

Sirs:

Brendan Lyons from the TU asking when [REDACTED] joined PSU. I've asked him why he's asking, awaiting a response. Is there something going on with her?

Thx -- Beau

From: Lyons, Brendan [REDACTED]
Sent: Friday, December 18, 2020 9:14 AM
To: DUFFY, WILLIAM (TROOPERS) [REDACTED]
Subject: <no subject>

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Good morning, Beau,

Are you able to provide the date that Trooper [REDACTED] joined the governor's security detail and her current status?



Brendan J. Lyons
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[REDACTED]